

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

By way of the present amendment, Applicant has canceled previously pending claims 1, 2, 4-7, 9 and 10 in favor of newly added claims 11-20, which are now presented for examination. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Newly added claims 11-15 are drawn to a transmission power control apparatus. Support for these claims is found, for example, at Fig. 4 and its accompanying written description.. Newly added claims 16-20 are drawn to a transmission power control method. Support for these claims are found, for example, at Figs. 5 and 6 and their accompanying written description.

The Final Action rejected previously presented claims 1, 2, 4-7, 9 and 10 under 35 U.S.C. § 103(a) as being unpatentable over WO 00/04649 to Naghian ("Naghian") in view of WO 00/33470 to Tran et al. ("Tran"). Applicant submits that this rejection is moot and the now pending claims are patentable for at least the following reasons.

Naghian describes a method for controlling transmission power in a radio system and a WCDMA system, in which transmission power is controlled with power control steps of a fixed size or variable size. As shown in Fig. 3B of Naghian's disclosure, if a mobile station (MS) receives a power control command (3-18), the command is put in a resister (3-22) which saves up to eight such commands. If the power control command stream is even, transmission power is not adjusted. If the stream is uneven, i.e., if only one of the power control commands is repeated often, then the power control is changed to an outer slower power control with a delay. If the power control stream is not even or uneven and the commands are repeated irregularly, then the a fast power control without delay is implemented.

Naghian does not include "a Doppler effect measuring section configured to compare a slot period of a reception signal with a reference slot period to measure a slot period deviation of a reception wave due to the Doppler effect" as recited in independent claim 11. Nor does Naghian teach or suggest "a second transmission power control determination

means section configured to determine, if said instruction to increase/decrease transmission power is repeatedly generated, whether a deviation of a frequency of a reception wave due to the Doppler effect is not more than a predetermined value, and permit said transmission power changing section to change transmission power if the deviation is not more than the predetermined value” as recited in claim 11.

Naghian similarly fails to teach or suggest the following features of claim 156: “comparing a slot period of a reception signal with a reference slot period to measure a slot period deviation of a reception wave due to the Doppler effect”; “if said instruction to increase/decrease transmission power is repeatedly generated, determining whether a deviation of a frequency of a reception wave due to the Doppler effect is not more than a predetermined value”; and “if said deviation of a frequency of a reception wave due to the Doppler effect is not more than a predetermined value and said instruction to increase/decrease transmission power is not repeatedly generated, changing transmission power in accordance with the power change instruction.”

The Final Action and Advisory Action contends that it would be obvious to modify Naghian in view of Tran. Applicant respectfully disagrees that such combination is fairly suggested by the prior. Applicant further submits that even were these references combined, the combination would not yield the particular combination reflected in the present claims.

For example, Naghian’s system takes into account movement of the terminal and implements a fast or slow power control accordingly. Specifically, Naghian explains that “Fast and slow power control both take into account the speed by which the mobile station moves.” (See p. 8, line 26 and following). Thus, one skilled in the art reading Naghian would find no motivation to utilize the estimation algorithm for determining a Doppler condition as described in Tran.

Additionally, since Naghian implements a slow or fast power control taking into account the speed of a mobile station, it is not seen how the technique of Naghian would be “modified” in view of Tran. It is not seen that a substitution of Tran’s estimation algorithm would result in the apparatus or method presently claimed, nor that Tran suggests the specific combination of features recited in the present claims.

In view of the foregoing, Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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By 

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 945-6014
Facsimile: (202) 672-5399

George C. Beck
Attorney for Applicant
Registration No. 38,072